

Battle
09/933,796

REMARKS

The undersigned requests a personal interview with the Examiner in charge of this application to discuss the issues raised in this amendment.

Claims 1-29, 31-45 and 47-61 were rejected as being anticipated by Hillegass 20020007351.

Hillegass discloses a system involving digital tokens for online downloading copyrighted subject matter such as music. Tokens are purchased from a token distributor using a typical credit card transaction. The purchaser of the tokens, or user, must have specialized software on his computer to receive the tokens (par. 0009). The tokens stored on the user computer include a user identifier, so that the tokens are not bearer instruments. The token information including user identification information is stored in the database of the token issuer as well (par. 0030). In order to use a token to purchase a song online, for example, the user sends a request to the token distributor/redeemer to make a purchase, and because of the software stored on the user's computer it is not even necessary for the user to identify a token (par. 0032). In other words, it appears that in the reference the seller or issuer of the tokens is part of or is connected to the supplier of the music.

In the present invention, as pointed out in par. 0021 of the specification, the electronic money instrument is a bearer instrument, identified only by its serial number and the issuing authority. The user, after buying the electronic money instrument, merely supplies the serial number to the vendor who is able to access the funds directly from the issuer of the bearer instrument.

Independent claims 1, 31 and 47 have been amended to make this distinction, clearly departing from the teachings of Hillegass as well as the other differences as pointed out above.

Claims 14-15, 29, 40, 45 and 54-61 have been canceled.

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The remaining depending claims have been amended where appropriate and would be allowed along with their parent claims.

The Examiner is authorized to cancel all claims withdrawn from consideration upon the application being otherwise in condition for allowance.

In view of the foregoing, it is believed that the remaining claims under consideration clearly distinguish over Hillegass and should be allowed.

The Examiner is requested to call the undersigned or Mr. Kroll if further changes are required to obtain allowance of the application.

A favorable action is solicited.

Respectfully submitted,



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Patent and Trademark Office, telephone number 571-273-8300 on Sept. 15, 2007.


Leonard Belkin